

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

ROBERT THOMAS IRVIN,

Plaintiff,

v.

**CLARKSVILLE GAS & WATER
DEPARTMENT, et al.,**

Defendants.

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**No. 3:11-cv-0529
Judge Campbell**

ORDER

Before the court is a Notice of Appeal filed by the plaintiff. (Docket No. 83). The plaintiff seeks to appeal the court's order of March 21, 2012 (Docket No. 78) adopting the Magistrate Judge's Report and Recommendation (Docket No. 74) recommending the granting of the defendants' motion for summary judgment (Docket No. 51) and the dismissal of this action.

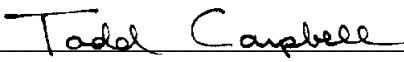
To prosecute a civil appeal, a plaintiff must file a timely notice of appeal accompanied by either the full appellate filing fee or an application to proceed *in forma pauperis* in lieu thereof. 28 U.S.C. § 1915(a)(1). The plaintiff has not submitted the required appellate filing fee or an application to proceed *in forma pauperis* on appeal.

If the plaintiff wishes to appeal, he shall submit to the Clerk of Court within 30 days from the date of entry of this order, either the full appellate filing fee of four hundred fifty-five dollars (\$455.00) or an application to proceed *in forma pauperis* in lieu thereof. If the entire filing fee is not paid or the appropriate indigency papers are not filed within the designated 30-day period, the Court of Appeals may dismiss the appeal under Rule 3(a), Fed. R. App. P. for failure to prosecute.

An extension of time to pay the appellate filing fee, or to file the appropriate documentation for pauper status, may be requested from this court if filed within 30 days from the date of entry of this order. *Floyd v. United States Postal Service*, 105 F.3d 274, 279 (6th Cir. 1997), *superceded on other grounds by* Rule 24, Fed. R. App. P.

The Clerk is directed to forward a copy of this order to the Clerk of Court for the Sixth Circuit Court of Appeals.

It is so **ORDERED**.



Todd J. Campbell
United States District Judge